

§ 42.09–35

shall be examined to determine the condition of the framing, etc.

(d) The deep tanks and other tanks which form part of the vessel shall be examined internally.

(e) If a double bottom is fitted, the tanks normally shall be examined internally. Where double bottom and other tanks are used for fuel-oil bunkers, such tanks need not be cleaned out, if the surveyor is able to determine by an external examination that their general condition is satisfactory.

(f) The deck shall be examined.

(g) Where, owing to the age and condition of the vessel or otherwise, the surveyor deems it necessary, the shell and deck plating may be required to be drilled or other acceptable means used, in order to ascertain the then thickness of such plating.

[CGFR 68–60, 33 FR 10057, July 12, 1968]

§ 42.09–35 Additional survey requirements for wood-hull vessels.

(a) In addition to the requirements in § 42.09–25, the surveyor of the assigning authority shall examine the items, etc., listed in this section, to determine if in satisfactory condition and meeting the applicable requirements in this subchapter.

(b) When the vessel is in drydock or hauled out, the keel, stem, stern frame or sternpost, outside planking, and caulking shall be examined.

(c) The fasteners shall be examined. Bolts, screws, or equivalent fastenings, as deemed necessary by the surveyor, must be backed out, or otherwise dealt with, to ensure soundness.

(d) The holds, 'tween decks, peaks, bilges, machinery spaces, and bunkers shall be examined.

(e) The entire structure, including decks, shall be examined. If considered necessary by the surveyor, borings shall be made, or other means may be used, to ascertain the condition of the materials. Should these measures disclose sufficient cause, further examination to satisfy the surveyor as to the true condition shall be made and check locations listed. This list shall be submitted to the assigning and issuing authority for record purposes, and for use in subsequent surveys.

[CGFR 68–60, 33 FR 10057, July 12, 1968]

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§ 42.09–40 Annual surveys.

(a) Relative to §§ 42.09–15(d) and 42.09–20(c), the assigning and issuing authority shall make an annual survey of each vessel holding an appropriate certificate issued under this subchapter.

(b) The annual survey shall be of such scope and extent so as to ensure:

(1) The maintenance in an effective condition of the fittings and appliances for the:

(i) Protection of openings;

(ii) Guardrails;

(iii) Freeing ports; and,

(iv) Means of access to crew's quarters.

(2) That there have not been alterations made to the hull or superstructure which would affect the calculations determining the position of the load line marks.

(c) The assigning and issuing authority shall report on the annual survey made to the owner of the vessel.

[CGFR 68–60, 33 FR 10057, July 12, 1968 as amended by CGD 80–143, 47 FR 25149, June 10, 1982]

§ 42.09–45 Correction of deficiencies.

(a) During and after any survey made by the assigning and issuing authority, those items, fittings, etc., which are found to be in an unsatisfactory condition by the surveyor shall be repaired or renewed in order to place the vessel in a satisfactory condition.

(b) No load line certificate shall be issued, endorsed, extended, or reissued or delivered to a vessel subject to this subchapter until after unsatisfactory conditions have been corrected as required by paragraph (a) of this section.

[CGFR 68–60, 33 FR 10057, July 12, 1968, as amended by CGFR 68–126, 34 FR 9013, June 5, 1969]

§ 42.09–50 Repairs or alterations to vessel after it has been surveyed.

(a) After any survey of the vessel made under §§ 42.09–25 to 42.09–40, inclusive, as applicable, has been completed and deficiencies corrected as provided in § 42.09–45, no change shall be made in the vessel's structure, equipment, arrangement, material, or scantlings as covered by such survey, without the prior specific approval of the assigning and issuing authority.

(b) To avoid a freeboard or other penalty, any vessel which undergoes repairs, alterations, or modifications, including outfitting related thereto, shall continue to comply with the applicable requirements consistent with the load line certificate held.

(c) An existing vessel, which had a load line assigned under previous regulations which undergoes repairs, alterations, or modifications of a major character, shall meet the requirements for a new vessel in this part insofar as the assigning and issuing authority and the Commandant deem reasonable and practicable.

[CGFR 68-60, 33 FR 10057, July 12, 1968, as amended by CGD 80-120, 47 FR 5723, Feb. 8, 1982]

Subpart 42.11—Applications for Load Line Assignments, Surveys, and Certificates

§ 42.11-1 General.

(a) As described in this subchapter under §§ 42.07-35, 42.07-40, 42.09-15, and 42.09-20, the American Bureau of Shipping or other recognized classification societies approved as load line assigning and issuing authorities perform the duties connected with making load line assignments to vessels.

(b) The Commandant is responsible for the administration of the load line acts, the 1966 Convention, other treaties regarding load lines, and the implementing regulations in this subchapter which include prescribed form and content of applicable load line certificates.

(c) Except in special instances for Coast Guard vessels, the Commandant does not perform the duties of a load line assigning authority.

[CGFR 68-60, 33 FR 10057, July 12, 1968, as amended by CGFR 68-126, 34 FR 9013, June 5, 1969; CGD 80-120, 47 FR 5723, Feb. 8, 1982]

§ 42.11-5 Applications for load line assignments, surveys, and certificates for U.S.-flag vessels.

(a) Normally, the owner, master, or agent of a vessel shall apply in writing, on a timely basis, to the American Bureau of Shipping for the assignment, survey, and certification of load lines. When nonconcurrent, a separate appli-

cation shall be made for each function desired and submitted on a timely basis. The mailing address of the home office of American Bureau of Shipping is ABS Plaza, 16855 Northchase Drive, Houston, TX 77060.

(b) After the Commandant has approved a recognized classification society as a load line assigning and issuing authority for a vessel, as described in a written request of the shipowner, the owner shall apply in writing, on a timely basis, direct to the approved assigning and issuing authority for the assignment, survey, and certification of load lines. When nonconcurrent, a separate application shall be made to such authority for each function desired, and submitted on a timely basis.

[CGFR 68-60, 33 FR 10057, July 12, 1968, as amended by CGFR 68-126, 34 FR 9013, June 5, 1969; CGD 96-041, 61 FR 50727, Sept. 27, 1996; USCG-2000-7790, 65 FR 58459, Sept. 29, 2000]

§ 42.11-10 Applications for load line assignments and certificates for vessels other than U.S.-flag vessels.

(a) The application for the assignment of load lines and certificate for a foreign vessel belonging to (or which will belong to) either a country ratifying or acceding to the International Convention on Load Lines, 1966, or to a country with which the United States of America has a reciprocal load line agreement in effect shall be made by the Government whose flag the vessel flies, or will fly. The application may be made direct to the American Bureau of Shipping, or after receiving the Commandant's approval, to a recognized classification society which that country has requested as an assigning and issuing authority. When the load line assignment and certificate are authorized pursuant to the requirements in this part, the certificate must contain a statement that it has been issued at the request of a specific Government, which shall be named therein.

(1) When the load line assignment is performed under the applicable regulations in this subchapter, the assigning and issuing authority shall transmit to the requesting Government at the earliest practicable date, one copy of each certificate issued, the load line survey report used for computing the